

The Minutes of a Regular Meeting of the City Council.

Austin Tex., August 6, 1888.

Hon. Joseph Nalle, Mayor, presiding.

Recd. Roll Call. Present - Aldermen Alsmann,
Buckland, Campbell, Debrye, Linn, Mots,
Odell, Phillips, Platt, Schneider, Townsend,
Nilson, Northam - 13.

Call. Absent - Aldermen Brush Caldwell, Fisher,
Graham, Fraiser, Jones, Pillow - 7.

Alderman DeBress moved a call of the Council. Adopted.
The call was immediately suspended.

Minutes The minutes of the last meeting of the City Council
were adopted as printed.

Square. Alderman Schneider presented a petition of
citizens requesting the use of the public park,
situated in the First Ward, for the purpose of
religious meetings for the period of sixty days. Granted.

Light. Alderman Odell presented a petition from citizens
of the Swerith Ward, requesting that a light be
placed on the corner of Red River and Fifteenth
streets, opposite the Swedish M. E. Church, in place
of the one removed from there. Read and laid over.

Alderman Odell presented a resolution, authorizing
and directing the Austin Light and Power Company
to remove the incandescent lamp, located on the
corner of Noches and Fourteenth streets, to the
corner of Red River and Fifteenth streets, and
locate the same on the corner nearest the
Swedish Church. Alderman Odell moved to
adopt the resolution.

Alderman DeBress moved as a substitute, that
the resolution and petition be referred to the
Aldermen of the Swerith Ward. Adopted.

Mr. Taylor. Alderman Pillow entered and answered to his
name. A petition from Mr. M. A. Taylor, requesting
the permission to put a fire proof crooked roof, on
the two-story building, situated on the Southwest
corner of 6th St. in block 98. The petition was
read, but no action was taken thereon.

Alderman Pillow moved that the regular

Order of business be suspended and that appropriation Ordinances be next considered.
Carried.

~~Sup. att.~~ Alderman DeGress then introduced an Ordinance appropriating the sum of \$3.100 for the purpose of paying officers and regular employes of the city for the month of August, 1888. It was read, after which motions were made to suspend the rules and place it on its second and third readings, and that it do pass, all of which were adopted by the following vote:

Yea - Aldermen Assmann, Boland, Campbell,
DeGress, Linn, Metz, Odell, Phillips,
Pillow, Plat, Schneider, Townsend, Wilson,
Northam - 14.

~~Appr. att.~~ Alderman DeGress then presented an Ordinance appropriating the sum of \$2421.22 for the purpose of paying approved accounts. It was read first time, after which motions were made to suspend the rules and place it on its second and third readings, and that it do pass; all of which were adopted by the following vote: Yea. Aldermen Assmann, Boland, Campbell, DeGress, Linn, Metz, Odell, Phillips, Pillow, Schneider, Townsend, Wilson, Northam - 14.

~~Jno. Dowell.~~ Alderman Campbell presented a petition from John Dowell, attorney for owner, stating that he desires to redeem lot 18, in block 2 of Outlet 1, division A, sold to the city for the taxes of 1873 and '74, and would pay all taxes, costs and interest due on same. On motion, the Assessor & Collector was instructed to permit the redemption, and to make deed and receive the money.

~~School fund~~ The Mayor presented a lengthy opinion from the City attorney, which he had requested him to prepare, on the subject of, who is the proper custodian of the school tax. The opinion states that an examination has been made of "the statutes of this state defining the duties of the City treasurer and the treasurer of the board of school trustees, with a view of determining which of these officers is, under the law, make the custodian of the City School

tax." After making a lengthy argument, and citing much of the state statutes bearing upon the question, the opinion closes as follows:

"From what I have said it follows that in my opinion, under a strict construction of the several provisions of the law bearing upon this question, the City Treasurer, after giving the bond required by law, is entitled to the custody of the City School Tax.

I am informed that it is the almost universal practice, in cities having a treasurer selected by the board of school trustees, to entrust that officer with the custody and disbursement of all school funds; and if the authorities of this city desire to conform to this practice, I think they can do so, and at the same time fully protect the interests of the city.

While the law does not, in terms, give the treasurer selected by the school trustees the custody of this fund, and does not require him to give bond of any kind, I feel quite sure that a bond voluntarily given by him would be a valid undertaking, and if properly conditioned would furnish ample protection to the public, against any loss it might suffer. In conclusion, I beg to state that I have reached the opinion above expressed with no little hesitancy, and can but regret the legislation upon this most important subject is not free from the incongruities and contradictions beset it.

"Very respectfully,

"Geo. T. Pendexter, City Attorney."

Ald. T. L. Alderman Pillon was excused.

School Fund. Alderman Wortham presented an Ordinance authorizing the City Assessor and Collector to pay to the treasurer of the board of school trustees all school taxes heretofore or hereafter collected by him. The ordinance was read first time, and on motion of Alderman DeGress, the ordinance and entire subject were referred to the ordinances committee. The treasurer's report for the quarter beginning May 7, and ending August 6, 1888:

Balance, May 7th
Receipts

\$10.764.11
<u>22.385.01</u>
84.849.12

Bidgements \$16.102.96
 Balances, August 6th 8.211.6.86
 311.114.12

Greenwood. That report also states that the notes given by the city for the purchase of Greenwood Cemetery that were due June 1, 1888, have been presented to him for payment.

Referred to Finance Committee.

Marshal. The Marshal's report for the month of July, 1888:

Lines and Costs assessed in Recorders Court	\$600.85
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Collected in Cash	\$199.55
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Marked Out	163.00
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Escaped	72.35
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Appealed	34.25
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New trial	8.20
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Carried forward	123.50 - \$600.85
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Back fines Collected	\$45.00
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Total number of arrests made,	57.
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Referred to Police Committee.

Clerk. The Clerk's report of warrants issued during the quarter ending July 31, 1888:

Total amount	\$26.467.10
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Referred to Finance Committee.

Assessor. The Assessor & Collector's report of Collections during the quarter ending July 31, 1888:

Ad Valorem taxes of 1887	\$18.257.57
" " 1886	59.87
" " 1885-	4.00
License taxes	2.112.70
Recorder's Court	838.65
Support of Hospital	1.000.00
City Cemetery	148.50
Ground rent	50.00
Permit fees and Sales	<u>36.75</u>
From School taxes	<u>22.508.04</u>
	<u>6.098.91</u>
Total	\$28.606.95

Referred to Finance Committee

Physician. City Physician's report for the month of July:

Patients in Hospital, July 1, 9

" Admitted to "	" in "	15
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" discharged from "	" "	13
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	Deaths	32
	Patients remaining in Hospital August 1, 1888	9
	No cases of Scarlet fever or diphtheria reported	
	Visits made.	3152
	Prescriptions written	336
	Referred to hospital Committee	
Sexton.	Sexton's report for the month of July, 1888: Total number of deaths - 42.	
	Referred to Cemetery Committee.	
Geo. J. Parker.	Leave of absence was granted the City attorney from August 15th to 19th.	
Marshall.	The police Committee submitted a report on the marshal's report for the month of June, stating, that they found it correct.	
Market Square.	The Committee on Markets submitted a favorable report on an ordinance appropriating \$400 to enclose market square and build a shed on the same. On motion the report and ordinance were laid on the table subject to call. The special Committee on enlarging the city Cemetery requested further time in which to prepare its report. Granted.	
Cemetery.	On motion, the Council then adjourned	
	Milton Morris, City Clerk.	